

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

OAKLAND DIVISION

☐ Petty

☐ Minor

☐ Misdemeanor

☒ Felony

DISTRICT COURT NUMBER

DEFENDANT

4:16-CR-71531

S. W. Hasib

## Month/Day/Year

Comments:

**AMER SINAN ALHAGGAGI**

<b><u>Count</u></b>	<b><u>Offense</u></b>	<b><u>Maximum Penalty</u></b>
1	18 U.S.C. § 2339B(a)(1) – Attempting to Provide Material Support or Resources to Designated Foreign Terrorist Organization	20 years in prison Lifetime supervised release \$250,000 fine \$100 special assessment Forfeiture
2	18 U.S.C. § 1029(a)(4) – Possession of Device Making Equipment	15 years in prison 3 years supervised release \$250,000 fine \$100 special assessment Forfeiture
3	18 U.S.C. § 1029(a)(2) – Using an Unauthorized Access Device	10 years in prison 3 years supervised released \$250,000 fine \$100 special assessment
4	18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft	Mandatory 2 years in prison 3 years supervised released \$250,000 fine \$100 special assessment

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

**FILED**

JUL 21 2017

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

CR17

0387

JST

AMER SINAN ALHAGGAGI,

DEFENDANT(S).

## INDICTMENT

18 U.S.C. § 2339B(a)(1) – Attempting to Provide Material Support or  
Resources to Designated Foreign Terrorist Organization;  
18 U.S.C. § 1029(a)(4) – Possession of Device Making Equipment;  
18 U.S.C. § 1029(a)(2) – Using an Unauthorized Access Device;  
18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft

A true bill.

*Karen Williams*

Foreman

Filed in open court this 20 day of

July 2017

*M. J. Kim*

Clerk

SALLIE KIM

United States Magistrate Judge

Bail, \$ **NO PROCESS**

*Allen*

BRIAN J. STRETCH (CABN 163973)  
United States Attorney

**FILED**

JUL 21 2017

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**CR17 0387 JST**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMER SINAN ALHAGGAGI,

Defendant.

CASE NO.

**VIOLATIONS:** 18 U.S.C. § 2339B(a)(1) –  
Attempting to Provide Material Support or Resources  
To Designated Foreign Terrorist Organizations; 18  
U.S.C. § 1029(a)(4) – Possession of Device-Making  
Equipment; 18 U.S.C. § 1029(a)(2) – Using an  
Unauthorized Access Device; 18 U.S.C.  
§ 1028A(a)(1) – Aggravated Identity Theft; 18 U.S.C.  
§§ 981(a)(1)(C), 981(a)(1)(G)(i), 1029(c)(1)(C), 28  
U.S.C. § 2461(c) – Forfeiture

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

BACKGROUND ON ISIS

1. On or about October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq ("AQI"), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under Section I(b) of Executive Order 13224.

2. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global

INDICTMENT



1 Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the  
 2 Levant (“ISIL”) as its primary name. The Secretary of State also added the following aliases to the FTO  
 3 listing: the Islamic State of Iraq and al-Sham (“ISIS”-- which is how the FTO will be referenced  
 4 herein), the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-Iraq wa-sh-Sham, Daesh, Dawla  
 5 al Islamiya, and al-Furqan Establishment for Media Production.

6 3. On or about September 21, 2014, then-ISIL spokesperson Abu Muhammad al-Adnani  
 7 called for attacks against citizens - civilian or military - of the countries participating in the United  
 8 States-led coalition against ISIS.

9 4. On or about September 21, 2015, the Secretary added the following aliases to the ISIS  
 10 listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

11 COUNT ONE: (18 U.S.C. § 2339B(a)(1) –Attempting to Provide Material Support or Resources to  
 12 Designated Foreign Terrorist Organizations)

13 5. Paragraphs 1 through 4 are incorporated herein.

14 6. Beginning on a date unknown, but no later than July 24, 2016, and continuing until  
 15 November 29, 2016, in the Northern District of California and elsewhere, the defendant,

16 AMER SINAN ALHAGGAGI,

17 knowingly attempted to provide “material support or resources,” as that term is defined in Title 18,  
 18 United States Code, Section 2339A(b), specifically, services, by opening social media accounts  
 19 understanding and intending that such accounts were to be used by, and for the benefit and promotion  
 20 of, ISIS, and personnel, in the form of himself, to a foreign terrorist organization, namely, ISIS, knowing  
 21 that ISIS was a designated foreign terrorist organization and that ISIS engages and has engaged in  
 22 terrorist activity and terrorism, in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT TWO: (18 U.S.C. § 1029(a)(4) – Fraudulent Possession of Access Device-Making Equipment)

7. On or about November 29, 2016, in the Northern District of California, the defendant,

AMER SINAN ALHAGGAGI,

knowingly, and with intent to defraud, trafficked in, had control and custody of, and possessed device-making equipment, and in doing so, affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(4).

COUNT THREE: (18 U.S.C. § 1029(a)(2) – Using an Unauthorized Access Device)

8. Between on or about July 20, 2016, and continuing until at least on or about August 1, 2016, in the Northern District of California and elsewhere, the defendant,

AMER SINAN ALHAGGAGI,  
knowingly, and with intent to defraud, used one and more unauthorized access devices, specifically a Visa debit card bearing the account number and first and last names of N.C., and by such conduct obtained things of value worth \$1,000 or more, and in doing so, affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(2).

COUNT FOUR: (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

9. Between on or about July 20, 2016, and continuing until at least on or about August 1, 2016, in the Northern District of California and elsewhere, the defendant,

AMER SINAN ALHAGGAGI,

during and in relation to a felony violation of 18 U.S.C. § 1029(a)(2), as alleged in Count Three, knowingly possessed and used, without lawful authority, a means of identification of another person, specifically a Visa debit card bearing the account number and first and last names of N.C., knowing that the means of identification belonged to another person, in violation of Title 18, United States Code, Section 1028A(a)(1).

INDICTMENT

1 FORFEITURE ALLEGATIONS: (18 U.S.C. §§ 981(a)(1)(C), 981(a)(1)(G), 1029(c)(1)(C), and 28  
2 U.S.C. § 2461(c))

3 10. The factual allegations contained in Counts One through Three of this Indictment are  
4 hereby realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture  
5 pursuant to the provisions of Title 18, United States Code Sections 981(a)(1)(C), 981(a)(1)(G)(i),  
6 1029(c)(1)(C) and Title 28, United States Code, Section 2461(c)..

7 11. Upon conviction of the offense alleged in Count One of this Indictment, the defendant,  
8 AMER SINAN ALHAGGAGI,  
9 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections  
10 981(a)(1)(C) and 981(a)(1)(G)(i), all assets, foreign or domestic, of the defendant, upon his conviction  
11 for planning or perpetrating any Federal crime of terrorism against the United States, citizens or  
12 residents of the United States, or their property, and all assets, foreign or domestic, affording any person  
13 a source of influence over any such entity or organization.

14 12. Upon conviction of the offenses alleged in Counts Two and Three of this Indictment, the  
15 defendant,

16 AMER SINAN ALHAGGAGI,  
17 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections  
18 981(a)(1)(C) and 1029(c)(1)(C) any real or personal property that constitutes or is derived from or is  
19 traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the  
20 defendant is convicted, or any personal property used or intended to be used to commit the offense.

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INDICTMENT

1 All pursuant to 18 U.S.C. §§ 981(a)(1)(C), 981(a)(1)(G)(i), and 1029(c)(1)(C), and Title 28,  
2 United States Code, Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

3 DATED:

A TRUE BILL.

4 July 20, 2017

5 Karen Williams  
6 FOREPERSON

7 BRIAN J. STRETCH  
8 United States Attorney

9 Barbara Valliere

10 BARBARA J. VALLIERE  
11 Chief, Criminal Division

12 (Approved as to form: John H. Hemann)

13 JOHN H. HEMANN  
14 Chief, Special Prosecutions  
15 and National Security Unit

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INDICTMENT